



## New law expands egg sale opportunities for small-scale egg producers

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MADISON, Wisconsin – A new egg sales law, Act 245, signed by Governor Scott Walker last week reduces the licensing burden on small-scale egg producers so they can sell eggs more easily in the marketplace, the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) announced today. The new law is effective immediately.

Act 245 exempts small-scale egg producers who sell eggs directly from the farm to consumers, at farmers' markets, and on egg sales routes, from having to acquire a food processing plant license for egg collection and packing activities. Small-scale producers are those with 150 birds or fewer.

"Even though the new law allows small-scale producers to sell their eggs without a food processing plant license, they still are required to have a retail food establishment license to sell their eggs at farmers' markets and on egg sales routes," said Dr. Steve Ingham, administrator of DATCP's Division of Food Safety. "They still have to meet some basic food safety requirements."

Egg producers covered by this law must still adhere to the following conditions:

- Eggs must be sold directly to the consumer, not to a wholesaler or distributor.
- The number of egg-laying birds in the egg producer's flock must not exceed 150.
- Eggs can be sold from the farm where the eggs were laid, at a Wisconsin farmers' market, or on an egg sales route.
- Eggs must be packaged in a carton that is labeled with the producer's name and address, the date the eggs were packed into the carton, a sell-by date within 30 days, and a statement indicating that the eggs in the package are ungraded and uninspected.
- Packaged eggs must be kept at an ambient temperature no higher than 41°F at all times.

Egg producer rules, which implement the new law, are currently being revised. The rule-revision process will not only address implementation of the new law, but will also make several other changes to help egg producers easily understand regulatory agency expectations.

"The timing of this Act is excellent because we are already updating the rules covering egg production, handling and sales to make them clearer and less burdensome. Our hope is that someone thinking about getting into egg production will find the new rule to be 'one-stop' shopping for egg-related regulations," Ingham said.

Rules development involves a series of public hearings to get input from those that are directly affected. These hearings are likely to take place this summer.

For more information on other food product recalls or food allergens, contact the Division of Food Safety at 608-224-4700 or by e-mail at [datcpfoodmailbox@wisconsin.gov](mailto:datcpfoodmailbox@wisconsin.gov); or online at [datcp.wi.gov](http://datcp.wi.gov).